

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
ALEXANDRIA DIVISION**

INDECO UNION, et al.,

Plaintiffs,

v.

ANNE M. MEADOR,

Defendant.

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Case No.: 1:20-cv-01073-TSE-TCB

**MEMORANDUM IN SUPPORT OF
NOTICE TO COURT AND MOTION TO REOPEN**

COMES NOW Defendant, Anne M. Meador, by counsel, and in support of her Notice to Court and Motion to Reopen states, as follows:

On July 19, 2021, this court *sua sponte* issued an Order [ECF No. 29] staying this case until the U.S. Bankruptcy Court for the Northern District of West Virginia ruled upon a motion filed by the Trustee to appoint Steven S. Biss, Esquire, as special counsel for Indeco Union in this matter. The court's Order directed the parties to advise this court of the bankruptcy court's ruling on that motion within fourteen (14) days following the ruling.

By order dated November 23, 2021 (Exhibit 1), the bankruptcy court authorized compromise and settlement of Indeco Union's claims in this suit. Subsequently, the parties entered into a binding settlement agreement (Exhibit 2). The agreed upon settlement has been paid in full. Thus, at this juncture, all claims of Indeco Union in this case have been fully and finally compromised and settled, and it is appropriate to dismiss Indeco Union from this case, with prejudice. Inasmuch as Steven S. Biss is not authorized to request such relief (as only the Trustee has such authority) and the Trustee is not licensed to practice in this court, Anne M. Meador respectfully requests that the court *sua sponte* dismiss Indeco Union with prejudice based on

representations made herein.

Once Indeco Union is dismissed from this case, the stay imposed by this court by virtue of the court's Order of July 19, 2021 is no longer necessary. Thus, Anne M. Meador respectfully requests that the stay be lifted, this case be reopened as to the claims of David Levine, and that the court rule upon the pending and unresolved Motion to Dismiss filed by Anne M. Meador as to the claims of David Levine.

WHEREFORE, Defendant, Anne M. Meador, by counsel, provides the court with the notice contemplated by the court's Order of July 19, 2021 [ECF No. 29], requests dismissal with prejudice of Indeco Union from this case, requests that the stay be lifted and this case be reopened, and asks that the court rule upon the pending and unresolved Motion to Dismiss filed by Anne M. Meador as to the claims of David Levine.

Respectfully submitted,
Anne M. Meador
By Counsel

/s/
Heather K. Bardot, Esquire
VSB No. 37269
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Counsel for Defendant

CERTIFICATE OF SERVICE

I hereby certify that on the 5th day of January, 2022, I electronically filed the foregoing pleading with the Clerk of Court using the CM/ECF system, which will then send a notification of such filing (NEF) to the following:

Steven S. Biss, Esquire
300 West Main Street, Suite 102
Charlottesville, Virginia 22903
Telephone: (804) 501-8272
Facsimile: (202) 318-4098
Email: stevenbiss@earthlink.net
Counsel for Plaintiff

I further certify that a copy of the foregoing pleading was transmitted via email, on January 5, 2022, to:

Janet Holbrook, Chapter 7 Trustee
Dinsmore & Shohl LLP
611 Third Avenue
Huntington, West Virginia 25701
Counsel for Bankruptcy Trustee

/s/
Heather K. Bardot
VSB No. 37269
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